

REMARKS

The Application has been carefully reviewed in light of the Office Action dated May 20, 2004. Claims 1 to 52 are in the application, of which Claims 1, 15, 24, 38 and 47 are independent. Claims 1, 15, 24, 38, 47 and 48 are being amended.

Reconsideration and further examination are respectfully requested.

Claims 1 to 9, 11 to 14, 16 to 27, 29 to 37 and 39 to 52 are rejected under 35 U.S.C. § 103(a) over U.S. Patent No. 5,826,244 (Huberman), U.S. Patent No. 6,324,521 (Shiota), U.S. Patent No. 6,657,702 (Chui) and Derwent-Acc-No. 2000-072115 (Tannenbaum), Claims 10 and 28 are rejected under 35 U.S.C. § 103(a) over Huberman, Shiota, U.S. Patent No. 5,974,401 (Enomoto), Chui and Tannenbaum, and Claims 15 and 38 are rejected under 35 U.S.C. § 103(a) over Huberman, Shiota, Chui, Tannenbaum and U.S. Patent No. 5,918,207 (McGovern). Reconsideration and withdrawal of the rejections are respectfully requested.

Applicants' undersigned representative wishes to thank the Examiner for the September 3, 2004 and September 8, 2004 telephone interviews. During the interviews, the claims and the applied art were discussed. The amendments and arguments made herein are based on the discussions during the interviews, a summary of which is provided below.

The present invention concerns a market place, in which a market portal collects and pre-stores market information including products, services and pricing information from a service provider, and selection criteria from an interactive shop. The market portal uses the market information to establish an agreement between an interactive

shop and one or more service providers. The interactive shop offers products and services via a graphical user interface, which is used by its customers to order products and services offered by the interactive shop. The market information stored by the market portal is collected from the service providers and the interactive shop independent of an order by a customer. In another embodiment of the invention, the market portal stores the market information independent of any bids from a service provider and/or an interactive shop.

Since the market portal pre-stores the market information independent of a customer order (or bids from service providers and interactive shops), it is possible for the market portal to establish agreements between a service provider and an interactive shop without first engaging the service providers and/or the interactive shop to obtain information for each agreement.

Turning to the specific language of the claims, Claim 1 defines a method of creating, via a network, a print market place, in which a market portal gathers information from a service provider and an interactive shop to create a relationship between the service provider and the interactive shop, and the interactive shop offers products and/or services to its customers. The market portal collects market information comprising an identity of service providers and the print services and pricing provided by each of the service providers. The market portal stores the market information. The market portal obtains criteria established by an interactive shop for selecting service providers to provide the print services. The market portal selects one or more service providers identified using the market information to provide the set of print services based on the criteria and the market information. The interactive shop offers products and services to its customers via a

graphical user interface by which a customer of the interactive shop orders products and services offered by the interactive shop.

Among the features of the present invention, the market portal collects, independent of an order by a customer, market information including print services and pricing information from a service provider and selection criteria from an interactive shop, and stores the market information, and the market portal which selects one or more service providers identified using the stored market information to provide the set of print services based on the criteria and the market information. The applied art, namely Huberman, Shiota, Chui and Tannenbaum, is not seen to show at least these features.

More particularly, as discussed in during the interview, Huberman is seen to describe an auction between a customer and supplier conducted by a broker. More particularly, the auction is initiated when a customer submits a request for specific print services. More particularly, a customer submits a bid which details the specific print job needed by the customer to the broker. In response to receipt of the customer's request, and based on the customer's request, the broker opens the auction to bids from suppliers to provide the specific print services requested by the customer. Once all bids from suppliers are in, the broker determines which supplier has submitted the winning bid, and the auction is ended. (See Huberman, commencing at col. 10, line 6)

Huberman is not seen to show a market portal which collects, independent of an order by a customer, market information including print services and pricing information from a service provider and selection criteria from an interactive shop, and stores the market information, and the market portal which selects one or more service

providers identified using the stored market information to provide the set of print services based on the criteria and the market information.

Shiota is not seen to remedy the deficiencies of Huberman. More particularly and as discussed during the interview, Shiota is seen to describe a system which addresses processing and delivery delays associated with using a centralized photo print lab (as shown in Figure 8 of Shiota) by distributing print processing to local photo labs. Reference is respectfully made to Figure 1 of Shiota which is seen to a central server which offloads print processing to a photo lab local to a customer, or to a lab with special processing capabilities if needed. (See Shiota, Abstract, Figures 1 and 4, and col. 8, line 57 to col. 9, line 27)

Shiota is not seen to disclose a market portal which collects, independent of an order by a customer, market information including print services and pricing information from a service provider and selection criteria from an interactive shop, and stores the market information, and the market portal which selects one or more service providers identified using the stored market information to provide the set of print services based on the criteria and the market information.

The cited portion of Chui, i.e., col. 15, lines 20 to 30, is seen merely to describe a delivery or service company preparing photo prints on its premises and then delivering the prints to a customer. Chui is not seen to disclose a market portal which collects, independent of an order by a customer, market information including print services and pricing information from a service provider and selection criteria from an interactive shop, and stores the market information, where the market portal selects one or

more service providers identified using the stored market information to provide the set of print services based on the criteria and the market information.

Finally, Tannenbaum has been reviewed and is not seen to remedy the deficiencies noted above. As conceded in the Office Action, Tannenbaum is merely seen to describe a customer making a direct selection of a long distance service provider.

Tannenbaum is not seen to disclose a market portal which collects, independent of an order by a customer, market information including print services and pricing information from a service provider and selection criteria from an interactive shop, and stores the market information, and the market portal which selects one or more service providers identified using the stored market information to provide the set of print services based on the criteria and the market information.

Enomoto has been reviewed and is not seen to remedy the deficiencies noted with respect to Huberman, Shiota, Chui and Tannenbaum.

For at least the above reasons, Claim 1 is believed to be in condition for allowance. Further, Applicants submit that Claim 24 is also believed to be in condition for allowance for at least the same reasons.

Claim 15 defines a method of creating, via a network, a print market place, in which a market portal gathers information from a service provider and an interactive shop to create a relationship between the service provider and the interactive shop, and the interactive shop offers products and/or services to its customers. The market portal collects and stores market information comprising an identity of service providers, interactive shops, and a standardized set of print services and pricing provided by each of the service

providers. The market information is collected independent of a bid from the service provider and a bid from the interactive shop. The market portal obtains a bid from a service provider identifying a print service and terms for providing the print service, and obtains a bid from an interactive shop identifying the print service and terms for purchasing the print service. The market portal determines compatibility between the service provider and the interactive shop, and the market portal establishes an agreement between the service provider and the interactive shop when the terms of the print service and the interactive shop are compatible, wherein the service provider agrees to provide and the interactive shop agrees to purchase the service according to the terms.

Based on the above discussion, Huberman, Shiota, Chui and Tannenbaum are not seen to disclose a market portal collecting, independent of a bid from a service provider and a bid from an interactive shop, and storing market information comprising an identity of service providers, interactive shops, and a standardized set of print services and pricing provided by each of the service providers, the market portal obtaining bids from a service provider and an interactive shop and determining compatibility between the service provider and the interactive shop, and the market portal establishing an agreement between the service provider and the interactive shop when the terms of the print service and the interactive shop are compatible.

McGovern is seen to describe predicting a customer's technical resource requirements, documenting skill sets of candidate employees, and creating development plans for candidate employees in need of training, so as to meet the customer resource requirements predictions. (See McGovern, Abstract)

McGovern is not seen to show a market portal collecting, independent of a bid from a service provider and a bid from an interactive shop, and storing market information comprising an identity of service providers, interactive shops, and a standardized set of print services and pricing provided by each of the service providers, the market portal obtaining bids from a service provider and an interactive shop and determining compatibility between the service provider and the interactive shop, and the market portal establishing an agreement between the service provider and the interactive shop when the terms of the print service and the interactive shop are compatible.

Claim 15 is therefore believed to be in condition for allowance. In addition, Claim 38 is believed to be in condition for allowance for at least the same reasons.

Claim 47 defines a method of providing services from a service provider to a client device via a network, a server is connected to the service provider and the client device. The server collects market information, wherein the market information includes an identity of a plurality of service providers and services provided by each of the service providers, stores the market information, selects one or more service providers and/or services identified in the market information based on a request from the client device, and offers the selected service providers and/or services to the client device. Wherein the market information is collected and stored independent of the request from the client device.

Based on the above discussion, the applied art is not seen to teach the above-identified features of Claim 47. Accordingly, Claim 47 is believed to be in condition for allowance.

The other claims are each dependent from the independent claims discussed above and are therefore believed patentable for the same reasons. Because each dependent claim is also deemed to define an additional aspect of the invention, however, the individual consideration of each on its own merits is respectfully requested.

In view of the foregoing, the entire application is believed to be in condition for allowance, and such action is respectfully requested at the Examiner's earliest convenience.

Applicants' undersigned attorney may be reached in our Costa Mesa, California office by telephone at (714) 540-8700. All correspondence should be directed to our address given below.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Carole A. Quinn", is written over a horizontal line.

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